

REMARKS

Claims 1, 6-8 and 13-16 are amended. Claims 22-27 are new. Support for the amended and new claims may be found generally throughout the originally filed disclosure, particularly the original claims and Figure 1A on page 17. Claims 1, 6-20 and 22-27 remain in this application.

Responsive to the preliminary lack of unity determination set forth in the outstanding Official Action, applicants provisionally elect group 1, drawn to a mutant of a biotin binding protein having improved properties compared to the wild type protein, as now recited in claims 1, 6-20 and 22-27, without traverse.

Responsive the election of species requirement, applicants provisionally elect the mutant Avd-ccci, having six intermonomeric disulphide bridges and mutant positions 86, 106 and 117, with traverse.

The elected mutant is disclosed at page 12, lines 3-17 and page 17, figure 1 and table 1, of the present specification. It is believed that this species election is consistent with the requirement imposed in the outstanding Official Action (i.e. election of amino acid mutant positions), and that the elected species are readable on claims 1, 6-10, 15, 16, 22 and 25.

The reasons for traversing the election of species requirement follow.

The common inventive concept is considered to be improved properties via the enhanced covalent binding of the four molecules of the biotin binding tetramer. The dependent claims represent in detail the mutations reflecting the inventive concept (i.e. claims 1,6-8) and additional mutations that increase the properties of the mutant (i.e. claims 9-16). Thus, it is believed that the claims share the same technical feature (i.e. the mutant as recited in claim 1), and applicants believe that the election of species requirement is unwarranted.

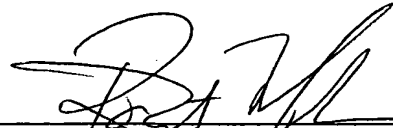
In view of the above, it is believed that the applicants are entitled to an action on the merits of all pending claims, in their full scope, in the present application. Such an action is accordingly respectfully requested.

Please charge the fee of \$50 for the extra claim of any type added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert Madsen, Reg. No. 58,543
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573

RAM/lk